

To: Johnson, Kathleen[Johnson.Kathleen@epa.gov]
Cc: Rea, Maria@NOAA[Maria.Rea@noaa.gov]; Diamond, Jane[Diamond.Jane@epa.gov]
From: Moon, Laura K.@DWR
Sent: Sat 9/13/2014 10:55:20 PM
Subject: Re: BDCP

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Kathleen,

It was good meeting you, too, and I really appreciate your engagement on this issue. In my experience, sometimes the policy folks have to dived into seemingly technical details in order to sort out the technical from the policy matters, and I was encouraged by your willingness to do so.

Thanks for sending these two citations. It is helpful to see exactly where the concern arises. I will be meeting with the DWR team this week to discuss this issue and develop a gameplan for alleviating EPA's concern. We will then discuss a proposed approach with our fellow lead agencies, and should be able to have some idea of how we will proceed in another ten days or so. I believe we agreed tentatively to have a conference call two weeks from this past week, so I am anticipating we should have something to discuss by then.

Thanks,

Laura

On Sep 12, 2014, at 2:09 PM, "Johnson, Kathleen" <Johnson.Kathleen@epa.gov> wrote:

Hi Laura and Maria,

So nice meeting you both earlier this week. I think we had a productive session, and we look forward to continued constructive dialogue with you all on this. As I mentioned, in our review of the DEIS, we were concerned that there was language which indicated (or implied) that a decision had already been made to favor exports over meeting water quality standards. For your reference, the following is the language that was of concern to us.

“Relative to the Existing Conditions, the modeled increased chloride concentrations and degradation in the western Delta under all of the H1-H4 scenarios could further contribute, at measurable levels (i.e. over a doubling of concentration) to the existing 303(d) listed impairment due to chloride in Suisun Marsh for the protection of fish and wildlife... While mitigation measures to reduce these water quality effects in affected water bodies to less than significant levels are not available, implementation of Mitigation Measure WQ-7 is recommended to attempt to reduce the effect that increased chloride concentrations may have on Delta beneficial uses” (p. 8-429).

WQ-7: Conduct Additional Evaluation and Modeling of Increased Chloride Levels Following Initial Operations of CM1

“Following commencement of initial operations of CM1, the BDCP proponents will conduct additional evaluations described herein, and develop additional modeling (as necessary), to define the extent to which modified operations could reduce or eliminate the additional exceedances of the 250 mg/L Bay-Delta WQCP objective for chloride currently modeled to occur under Alternative 4. *If sufficient operational flexibility to offset chloride increases is not feasible under Alternative 4 operations, achieving chloride reduction pursuant to this mitigation measure would not be feasible under this Alternative*” (p. 8-430).

The same language exists for EC on page 8-441.

Kathleen H. Johnson

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